

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

1201 NORTH MARKET STREET  
P.O. BOX 1347  
WILMINGTON, DELAWARE 19899-1347

302 658 9200  
302 658 3989 FAX

JACK B. BLUMENFELD  
302 351 9291  
302 425 3012 FAX  
jblumenfeld@mnat.com

April 18, 2007

**BY E-FILING**

The Honorable Gregory M. Sleet  
United States District Court  
For the District of Delaware  
844 North King Street  
Wilmington, DE 19801

Re: *Biovail v. Andrx Pharmaceuticals LLC et al.*,  
C. A. No. 05-586, 05-730 and 06-620 (GMS) (Consolidated)

Dear Judge Sleet:

In anticipation of the discovery teleconference scheduled for April 23, 2007 at 9:30 a.m., the parties jointly submit the following items to be presented to the Court:

**Plaintiff's Issue:**

- Whether plaintiff has an obligation to respond to expert reports on 1) inequitable conduct allegations that are related to the subject of a pending motion for leave to file a first amended answer, and 2) inequitable conduct allegations that plaintiffs believe (and defendants dispute) will not be in the case even if the motion for leave is granted.

Respectfully,

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)

JBB/dlb

cc: Clerk of Court (By Hand)  
Richard L. Horwitz, Esquire (By E-Mail and Hand)  
Steven A. Maddox, Esquire (By E-Mail)  
Joseph M. O'Malley, Jr., Esquire (By E-Mail)

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